

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

DAVID GEVAS,

Plaintiff,

v.

DR. ROBERT SHEARING, et al.,

Defendants.

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Case No. 3:14-cv-134-NJR-DGW

ORDER

WILKERSON, Magistrate Judge:

On February 22, 2017, a telephonic status conference was held in order to determine when this matter can be tried to a jury. Plaintiff, who requested that his appointed counsel withdraw her appearance and who is currently proceeding *pro se* (Doc. 365), represented to the Court that he has stage 4 cancer for which he has undergone chemotherapy and which appears to be in partial remission. He is currently in a wheelchair and suffers from various physical problems that include damaged bones, pain, and limited mobility. Plaintiff further represents that while his cancer may be deemed in partial or borderline remission, he will be assessed further and may have to undergo another round of chemotherapy. When asked whether he will be able to appear for trial, Plaintiff noted that he is not familiar with how to try a case and that he is unsure what his medical condition will be in the future. The Court informed Plaintiff that counsel will not be appointed in this matter. It appears from all the filings in this matter, in addition to the Court's review of Plaintiff's filings in other cases, that he is more than capable of litigating this matter without an attorney.

However, it also appears to the Court that Plaintiff is not currently physically able to participate in trial in this matter, with or without an attorney. As such, this matter is set for an in

person status conference on **April 25, 2017 at 3:30 p.m.** Defendants to appear by counsel and Plaintiff to appear by video-conference. At that point, Plaintiff should be prepared to discuss his physical ability to travel to the Federal Courthouse in East St. Louis, Illinois to participate in trial, which is anticipated to last from 2 to 3 days.

Counsel for the Wexford Defendants represented to the Court that Plaintiff will be participating in a settlement conference this Friday on a number of cases that he has filed in the Northern District of Illinois against Wexford and its employees. Plaintiff appears to have 4 cases pending in that district in addition to one appeal before the 7th Circuit and this matter. If the parties settle the cases in the Northern District and elect to include this matter in a global settlement agreement, they shall contact the Court forthwith.

DATED: February 22, 2017



DONALD G. WILKERSON
United States Magistrate Judge